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Curtis L. Schröndt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S)	Peter J. Wilk
SERIAL NO.	09/678,134
FILED	10/04/2000
FOR	METHOD FOR CLOSING OFF LOWER PORTION OF HEART VALVE
GROUP ART UNIT	3747
EXAMINER	ODLAND, Kathryn P.

Commissioner for Patents
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TERMINAL DISCLAIMER IN APPLICATION

S I R:

WILK PATENT DEVELOPMENT CORPORATION (hereinafter "WILK PATENT"), a corporation organized and existing under the laws of the State of New York, is the owner of application No. 09/678,134, filed 10/04/2000, for METHOD AND DEVICE FOR IMPROVING CARDIAC FUNCTION, by virtue of an assignment recorded on Reel/Frame Number 014359/0721 of the microfiche records of the Patent and Trademark Office, and appended in copy hereto.

Through the undersigned attorney for applicant, WILK PATENT hereby disclaims the terminal part of any patent granted on said application No. 09/678,134 which would extend beyond the maximum statutory term of U.S. Patent No. 6,572,529 (App. No. 09/900,126, filed


06/03/2003) or the maximum statutory term of U.S. Patent No. 6,258,021. WILK PATENT is the owner of U.S. Patent No. 6,572,529, having received its rights by virtue of an assignment dated 11/12/2002, recorded on the microfiche records of the U.S. Patent and Trademark Office on 11/12/2002 at Reel/Frame Number 013238/0797, and also appended in photocopy hereto. WILK PATENT is the owner of U.S. Patent No. 6,258,021, having received its rights by virtue of an assignment dated 02/04/2002, recorded on the microfiche records of the U.S. Patent and Trademark Office on 02/25/2002 at Reel/Frame Number 012621/0812, and also appended in photocopy hereto.

WILK PATENT hereby agrees that any patent granted on Application No. 09/678,134 shall be enforceable only for and during such period that the legal title to said patent granted thereon shall be the same as the legal title to U.S. Patent No. 6,572,529 and U.S. Patent No. 6,258,021, this agreement to run with any patent granted on said Application No. 09/678,134 and to be binding upon the grantee, its successors or assigns.

Through the undersigned attorney for applicant, Petitioner WILK PATENT represents that it has reviewed the chain of title of U.S. Patent No. 6,572,529 and U.S. Patent No. 6,258,021 and acknowledges that, to the best of his information and belief, Petitioner WILK PATENT is the owner of the entire interest in said patents and the associated applications.

Respectfully submitted,
COLEMAN SUDOL SAPONE, P.C.

Dated: Feb. 27, 2004

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